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 ELI LILLY AND COMPANY

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

STATE OF CALIFORNIA <i>ex rel.</i> JAYDEEN	)	Case No. 07-cv-04911-SI
VICENTE and JAYDEEN VICENTE	)	
Individually,	)	Assigned to: Hon. Susan Illston
	)	
Relators,	)	<b>[PROPOSED] ORDER GRANTING</b>
	)	<b>DEFENDANT ELI LILLY AND</b>
v.	)	<b>COMPANY'S MOTION TO DISMISS</b>
	)	<b>UNDER RULES 12(b)(1), 12(b)(6) AND 9(b)</b>
	)	<b>WITH PREJUDICE</b>
ELI LILLY AND COMPANY,	)	
	)	Date: November 16, 2007
Defendant.	)	Time: 9:00 a.m.
	)	Place: Courtroom 10, 19 <sup>th</sup> Floor

1 Defendant Eli Lilly and Company's ("Lilly") Motion to Dismiss Under Rules  
2 12(b)(1), 12(b)(6) and 9(b), came on for hearing before this Court on November 16, 2007 at 9:00  
3 a.m. All parties were represented by counsel.

4 Having considered the moving and opposition papers and heard the oral arguments of  
5 counsel, the Court HEREBY ORDERS as follows:

6 1. Lilly's Motion to Dismiss Under Rules 12(b)(1), 12(b)(6) and 9(b) is  
7 GRANTED; and

8 2. Plaintiff's Complaint is DISMISSED WITH PREJUDICE.

9 IT IS SO ORDERED

10  
11 DATED: November \_\_, 2007

12 \_\_\_\_\_  
13 Honorable Susan Illston  
14 United States District Judge  
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